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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/863,706	05/22/2001	Shawn R. Gettemy	PALM-3650.US.P	2157

7590 10/05/2005

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EXAMINER	
NGUYEN, JENNIFER T	
ART UNIT	**PAPER NUMBER**
2674	

DATE MAILED: 10/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/863,706	GETTEMY ET AL.	
	Examiner	Art Unit	
	Jennifer T. Nguyen	2674	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *RCE 7/19/05*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-25* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-25* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. This Office action is responsive to request for continued examination filed on 7/19/05.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1-15 and 16-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Roberts (Pub. No. US 2002/0149571) in view of Murakami et al. (US Patent No. US 5,130,500).

Regarding claims 1, 16 and 22, referring to Fig. 7C, Roberts teaches a display assembly for a handheld electronic device [0048] comprising:

a display mechanism (i.e., floating structure or LCD 401 [0131]);

a plurality of pressure activated sensors (i.e., force sensor principal elements 106 [0085]);

a top cover (i.e., lateral stiffening means 108C) to allow mechanical transfer between said top cover and said plurality of pressure activated sensors (106), wherein said pressure activated sensors (106) can be activated by mechanical pressure applied to the external surface of said cover [0086] and [0141].

Roberts differs from claims 1, 16, and 22 in that he does not specifically teaches the top cover is a single-piece bezel-less. However, referring to Figs. 2A and 2B, Muramaki teaches a cover plastic film (15, 16) is a single-piece bezel-less (col. 3, lines 32-33 and col. 4, line 39). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention

was made to incorporate the cover plastic film as taught by Muramaki in the system of Roberts in order to protect the device from the dust environment.

Regarding claim 2, the combination of Roberts and Muramaki teaches the display mechanism (401) is disposed beneath the top cover (108C) and above said plurality of pressure activated sensors (106) (Fig. 7C of Roberts)

Regarding claim 3, Roberts further teaches said display mechanism (401) is in direct contact with said plurality of pressure activated sensors (106) [0084]-[0086], [0127].

Regarding claim 4, Roberts further teaches a fixed electronic circuit layer (105) and the pressure activated sensors (106) are disposed between said circuit layer (i.e., flex print 105) and said display mechanism (401) [0084]-[0086], [0127].

Regarding claims 5, 17, 21, and 25, Roberts further teaches a transparent flexible thermoplastic outer film (108c) and supporting structure (104) that is co-molded to said transparent flexible thermoplastic outer film [0086], [0141].

Regarding claims 6 and 18, Roberts further teaches the transparent flexible thermoplastic outer film has sufficient deflection under external pressure to apply mechanical pressure to said display mechanism which applies pressure to said plurality of pressure activated sensors [0141].

Regarding claims 7 and 13, Roberts further teaches the plurality of pressure activated sensors (106) are operable to register a position where contact is made with said transparent flexible thermoplastic outer film (108C) [0086].

Regarding claims 8, 14, 19 and 24, Roberts further teaches the top cover is a flat top surface free of any indentation (Fig. 7C of Roberts).

Regarding claims 9, 20 and 23, Roberts further teaches an accelerometer (115) operable to identify the parameters of a valid input event [0095].

Regarding claim 10, Roberts teaches top cover is a transparent rigid cover [0097].

Regarding claim 11, Roberts further teaches a back cover (104) [0084]-[0086], [0127].

Regarding claim 12, Roberts further teaches single-piece bezel-less top cover has sufficient range of motion to allow mechanical transfer between said top cover and said plurality of pressure activated sensors [0084]-[0086], [0127].

4. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Roberts (Pub. No. US 2002/0149571), Murakami et al. (US Patent No. US 5,130,500) in view of Donohue et al. (Patent No. US 6,262,717) and further in view of Singh et al. (Patent No. US 6,400,376).

Regarding claim 15, the combination of Roberts and Murakami differs from claim 15 in that it does not specifically teach the single-piece bezel-less top cover has indentations to indicate button functions. However, Donohue teaches touch sensitive select zone (29) on the cover plate (31) of the touch display device (Fig. 7, col. 11, lines 11-35). Singh teaches the buttons (60) are recessed (Fig. 5, lines 60-64). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the button functions as taught by Donohue and Singh in the system of the combination of Roberts and Murakami in order to improve the display device with easily and efficiently touching the buttons without needing to look at them.

5. Applicant's arguments with respect to claims 1-25 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jennifer T Nguyen whose telephone number is 571-272-7696. The examiner can normally be reached on Mon-Fri: 9:00am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick N. Edouard can be reached on 571-272-7603. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JNguyen
9/28/2005

REGINA LIANG
PRIMARY EXAMINER